



C. Earl Hunter, Commissioner

Promoting and protecting the health of the public and the environment.

**TO ALL INTERESTED PARTIES
Notification of Public Notice**

Notification of Public Notice

Enclosed are public notices issued by the SCDHEC Office of Ocean and Coastal Resource Management and the U.S. Army Corps of Engineers. All interested parties are allowed 30 days for major developments and 15 days for minor developments after receipt of the public notices to file written comments to the OCRM pertaining to the applications. Only those comments received within this period must be reviewed by the OCRM in processing the permit application. Any person wishing notification of the initial OCRM decision on any specific public notice must make written request within the designated review period for that public notice.

APPLICANT	PUBLIC NOTICE NUMBER	SUSPENSE DATE
Nancy / Joe Markovich	2005-2W-184-P	August 12, 2005
Bud Sutherland	2005-2W-185-P	August 12, 2005

July 28, 2005

SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

Ocean and Coastal Resource Management

Charleston Office • 1362 McMillan Avenue • Suite 400 • Charleston, SC 29405

Phone: (843) 744-5838 • Fax: (843) 744-5847 • www.scdhec.gov



C. Earl Hunter, Commissioner

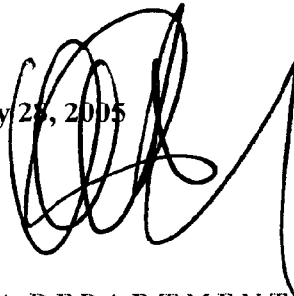
Promoting and protecting the health of the public and the environment

PUBLIC NOTICE

P/N# 2005-2W-184-P, Nancy and Joe Markovich
P/N# 2005-2W-185-P, Bud Sutherland

These two dock permit applications were originally placed on public notice by OCRM on January 27, 2005, under P/N# OCRM-05-013-E (Sutherland) and OCRM-05-014-E (Markovich). During the public comment period, the US Fish and Wildlife Service expressed concerns about potential adverse impacts to wildlife from these docks, and requested the Army Corps of Engineers to process individual federal permits for the docks. The Corps has complied with this request and has issued the following Joint Public Notices. OCRM will now process these permit applications under the new Corps permit numbers, with a new public comment period. However, all comments received during the initial OCRM public comment period will be transferred from the original permit files to the new permit files.

July 28, 2005



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JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107

and
THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Ocean and Coastal Resource Management
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

REGULATORY DIVISION
Refer to: P/N # 2005-2W-184-P

July 22, 2005

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 402), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) an application has been submitted to the Department of the Army and the South Carolina Department of Health and Environmental Control by

NANCY & JOE MARKOVICH
C/O DOCK PERMITTING LIMITED
PO BOX 12880
CHARLESTON, SOUTH CAROLINA 29412

for a permit to construct a walkway, pier, floating dock and boatlift in a
tributary of James Island Creek

at and adjacent to 1275 Harbor View Road, James Island, Charleston County, South Carolina
(Latitude: 32.75204°, Longitude: -79.95426°)

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, 22 AUGUST 2005

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of constructing a private walkway and dock. A 4' x 716' walkway with handrails will lead to a 12' x 12' covered pierhead with handrails. A 3' x 16' aluminum gangway will lead to an 8' x 15' floating dock that will be constructed on the north side of the pierhead, with a 4-pile boatlift constructed to the south of the pierhead. The purpose of this work is for the applicant's private recreational use.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

22 July 2005

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

The work shown on this application must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certification is received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to State certification must submit all comments in writing to the South Carolina Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project is likely to adversely affect the wood stork (*Mycteria americana*) which has a roosting area less than 500 feet from the proposed project location. This public notice serves as a request to the U.S. Fish and Wildlife Service to initiate formal consultation on this species, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended). A biological assessment (or other similar document) detailing our analysis of the effects of the action will be provided.

The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

REGULATORY DIVISION

22 July 2005

Refer to: P/N# 2005-2W-184-P

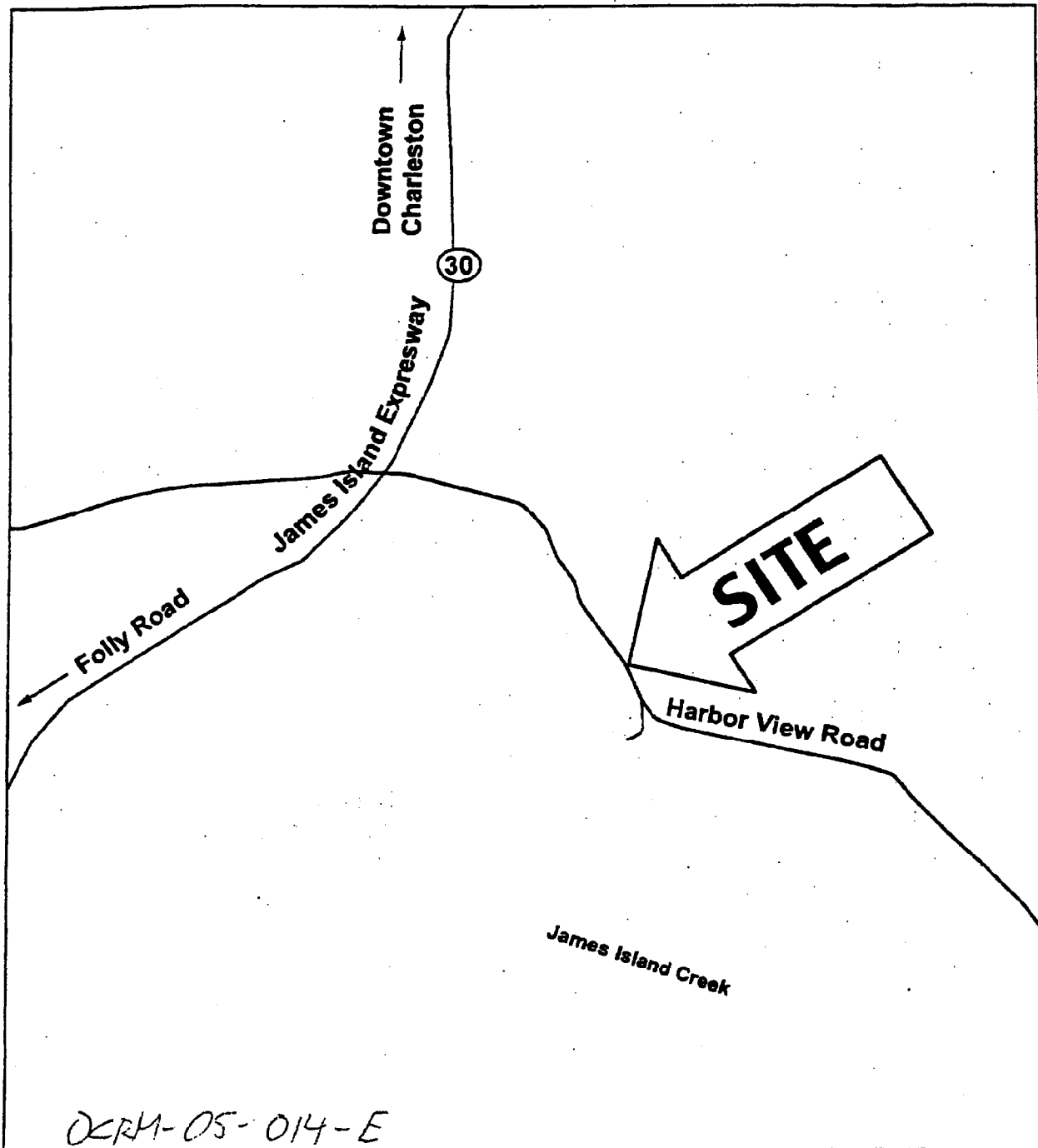
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact me at 843-329-8044 or toll free at 1-866-329-8187.

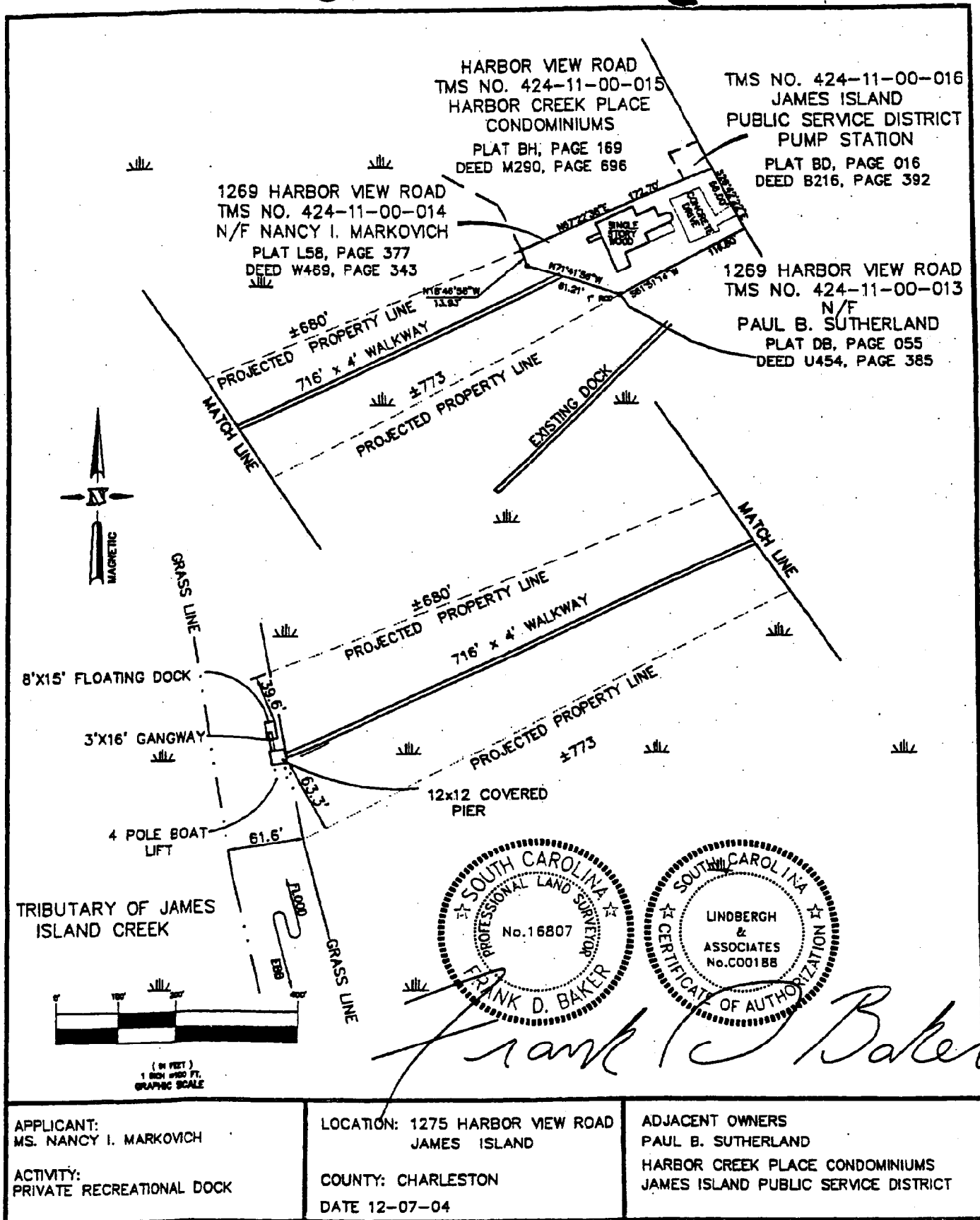


Robin Collier-Socha
Project Manager
Regulatory Division
U.S. Army Corps of Engineers

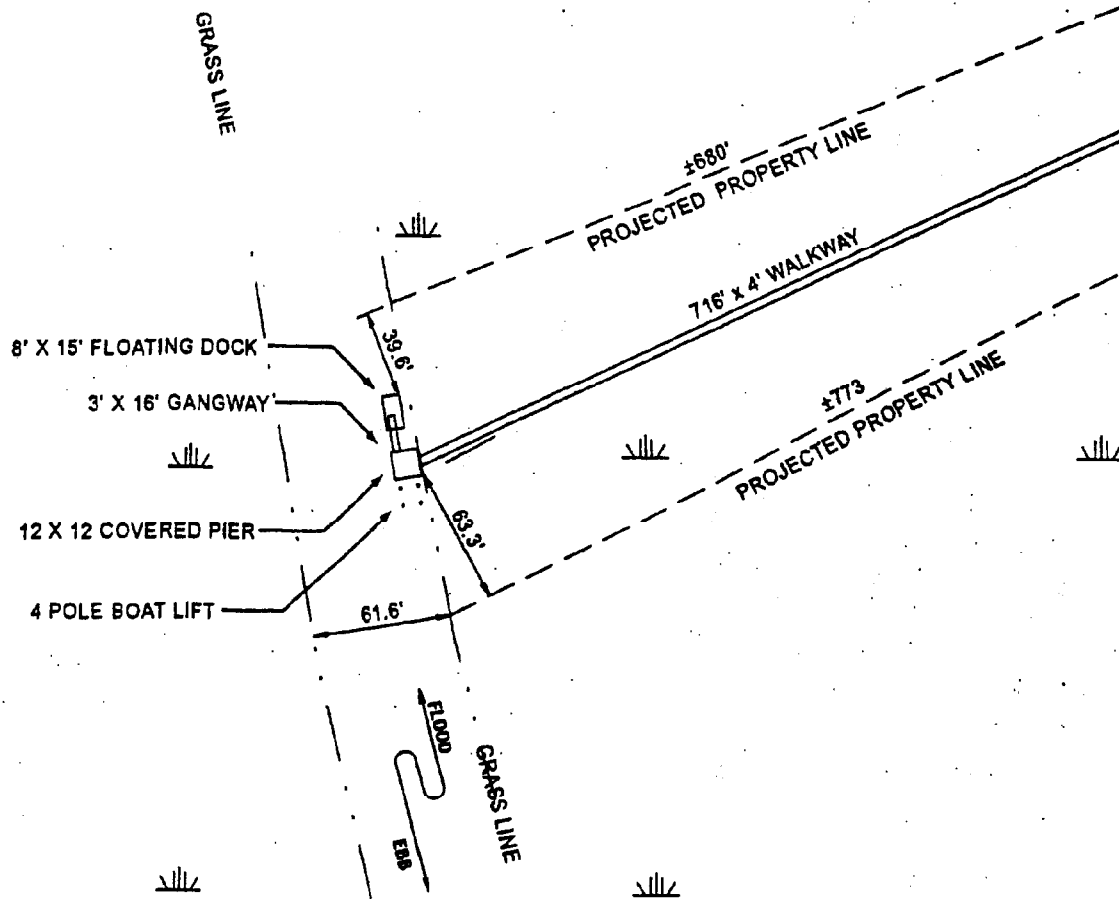
Bill Eiser
Project Manager
SCDHEC-OCRM



<p>PROPOSED: PRIVATE DOCK CONSTRUCTION</p> <p><u>ADJACENT PROPERTY OWNERS</u></p> <ol style="list-style-type: none"> 1. Bud Sutherland 2. Peggy Breitmayer 	<p>FIGURE 1 SITE LOCATION MAP</p> <p>NOT TO SCALE</p> <p>NANCY & JOE MARKOVICH 5 TABBY LANE ISLE OF PALMS, SC 29451</p>	<p>PROPOSED: PRIVATE DOCK CONSTRUCTION</p> <p>IN: UN-NAMED TRIBUTARY</p> <p>NEAR: JAMES ISLAND CREEK</p> <p>COUNTY OF: CHARLESTON, SC</p> <p>APPLICATION BY: NANCY & JOE MARKOVICH</p> <p>PIN#: TBD</p> <p>DATE: DECEMBER 23, 2004</p>
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OCR-11-05-014-E



DOCK PLAN VIEW
NOT TO SCALE

* All Structured Represented Are
Proposed Unless Specified.

OCRM-05-014-E

PROPOSED: PRIVATE DOCK
CONSTRUCTION

ADJACENT PROPERTY OWNERS

1. Bud Sutherland
2. Peggy Breitmayer

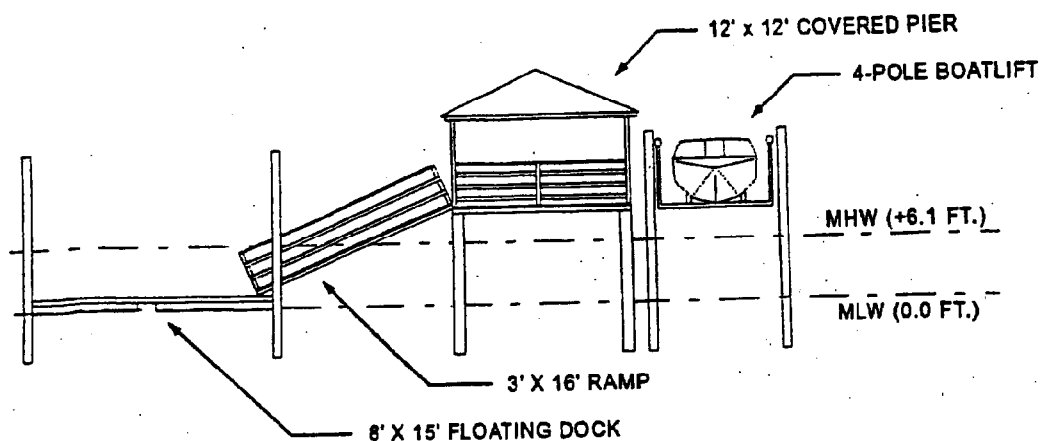
FIGURE 2
DOCK PLAN VIEW

NOT TO SCALE

NANCY & JOE MARKOVICH
5 TABBY LANE
ISLE OF PALMS, SC 29451

PROPOSED: PRIVATE DOCK
CONSTRUCTION

IN: UN-NAMED TRIBUTARY
NEAR: JAMES ISLAND CREEK
COUNTY OF: CHARLESTON, SC
APPLICATION BY: NANCY & JOE MARKOVICH
PIN#: TBD
DATE: DECEMBER 23, 2004



DOCK FRONT CROSS SECTION
NOT TO SCALE

* All Structured Represented Are
Proposed Unless Specified

LEGEND

MHW MEAN HIGH WATER
MLW MEAN LOW WATER

OKR-05-014-E

PROPOSED: PRIVATE DOCK
CONSTRUCTION

ADJACENT PROPERTY OWNERS

1. Bud Sutherland
2. Peggy Breitmayer

FIGURE 4
DOCK FRONT
CROSS SECTION

NOT TO SCALE

NANCY & JOE MARKOVICH
5 TABBY LANE
ISLE OF PALMS, SC 29451

PROPOSED: PRIVATE DOCK
CONSTRUCTION

IN: UN-NAMED TRIBUTARY

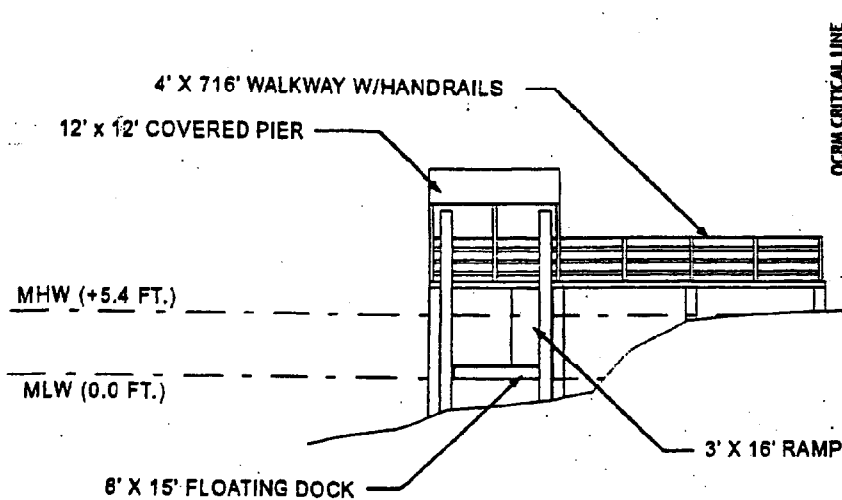
NEAR: JAMES ISLAND CREEK

COUNTY OF: CHARLESTON, SC

APPLICATION BY: NANCY & JOE MARKOVICH

P/N# TBD

DATE: DECEMBER 23, 2004



DOCK SIDE CROSS SECTION
NOT TO SCALE

* All Structured Represented Are
Proposed Unless Specified

OCRM-05-014-E

LEGEND

MHW MEAN HIGH WATER
MLW MEAN LOW WATER

PROPOSED: PRIVATE DOCK
CONSTRUCTION

ADJACENT PROPERTY OWNERS

1. Bud Sutherland
2. Peggy Breitmayer

FIGURE 3
DOCK SIDE
CROSS SECTION

NOT TO SCALE

NANCY & JOE MARKOVICH
5 TABBY LANE
ISLE OF PALMS, SC 29451

PROPOSED: PRIVATE DOCK
CONSTRUCTION

IN: UN-NAMED TRIBUTARY
NEAR: JAMES ISLAND CREEK
COUNTY OF: CHARLESTON, SC
APPLICATION BY: NANCY & JOE MARKOVICH
P/N#: TBD
DATE: DECEMBER 23, 2004

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107

and
THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Ocean and Coastal Resource Management
1362 McMillan Avenue, Suite 200
Charleston, South Carolina

July 22, 2005

REGULATORY DIVISION
Refer to: P/N # 2005-2W-185-P

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) an application has been submitted to the Department of the Army and the South Carolina Department of Health and Environmental Control by

BUD SUTHERLAND
C/O DOCK PERMITTING LIMITED
PO BOX 12880
CHARLESTON, SOUTH CAROLINA 29412

for a permit to construct additional walkway footage, a pier, a floating dock and a boatlift in a
tributary of James Island Creek

at and adjacent to 1269 Harbor View Road, James Island, Charleston County, South Carolina
(Latitude: 32.75155°, Longitude: -79.95436°)

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, 22 AUGUST 2005

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of extending an existing walkway and adding a covered pier and floating dock. An new 4' x 635' walkway with handrails will be added to the end of the existing 4' x 202' walkway for a total of 837'. A 12' x 12' covered pierhead with handrails will be constructed at the end of the walkway. A 3' x 16' aluminum gangway will lead from the pierhead to an 8' x 15' floating dock located on the south side of the pierhead, and a 4-pile boatlift will be added to the north side of the pierhead. The purpose of this work is for the applicant's private recreational use.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

22 JULY 2005

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REGULATORY DIVISION

Refer to: P/N #2005-2W-185-P

22 JULY 2005

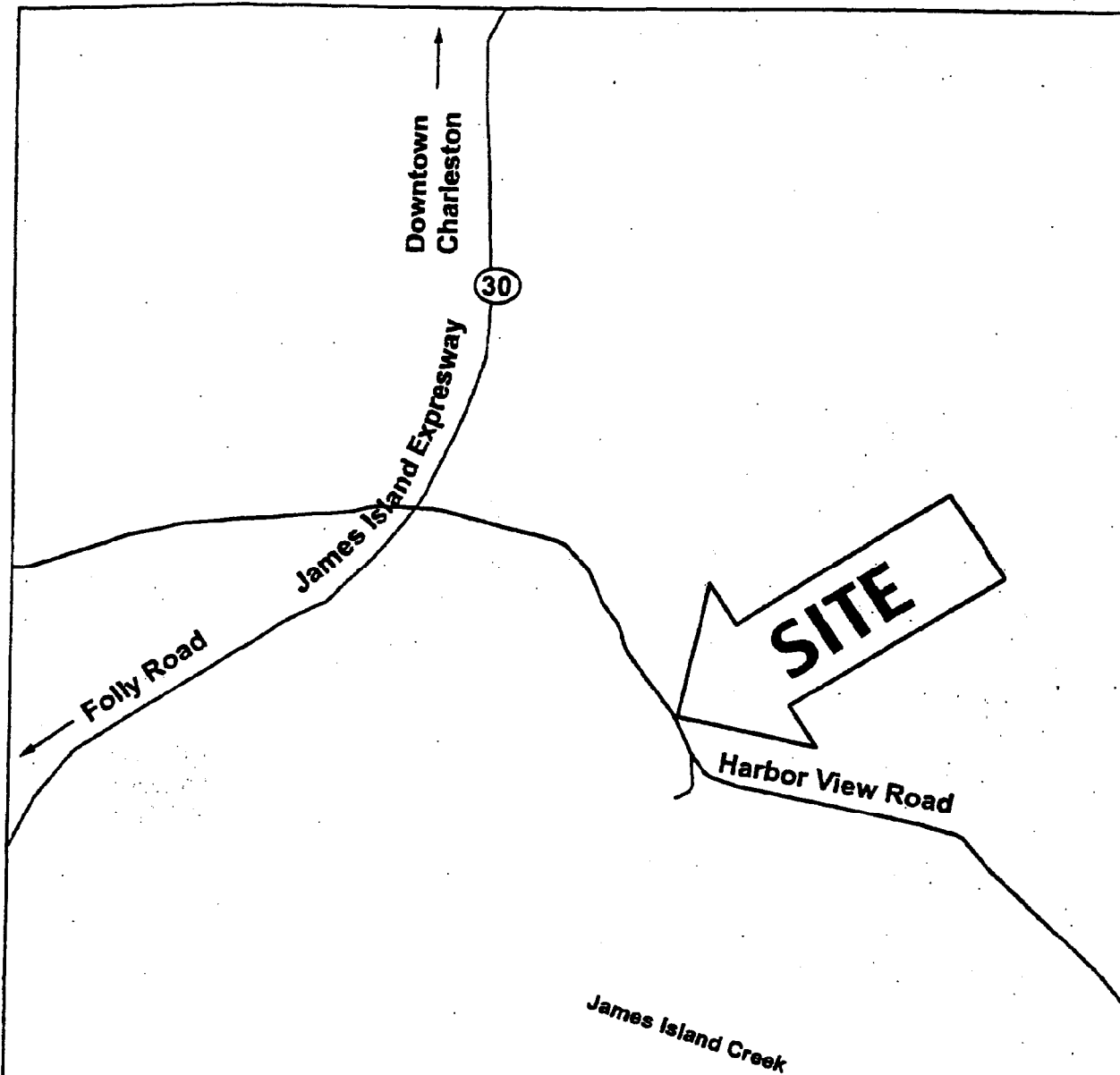
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Robin Collier-Socha
Project Manager
Regulatory Division
U.S. Army Corps of Engineers

Bill Eiser
Project Manager
SCDHEC-OCRM



OKR11-05-013-E

PROPOSED: PRIVATE DOCK
CONSTRUCTION

ADJACENT PROPERTY OWNERS

1. Nancy & Joe Markovich
2. Jamie Mitchum

FIGURE 1
SITE LOCATION MAP

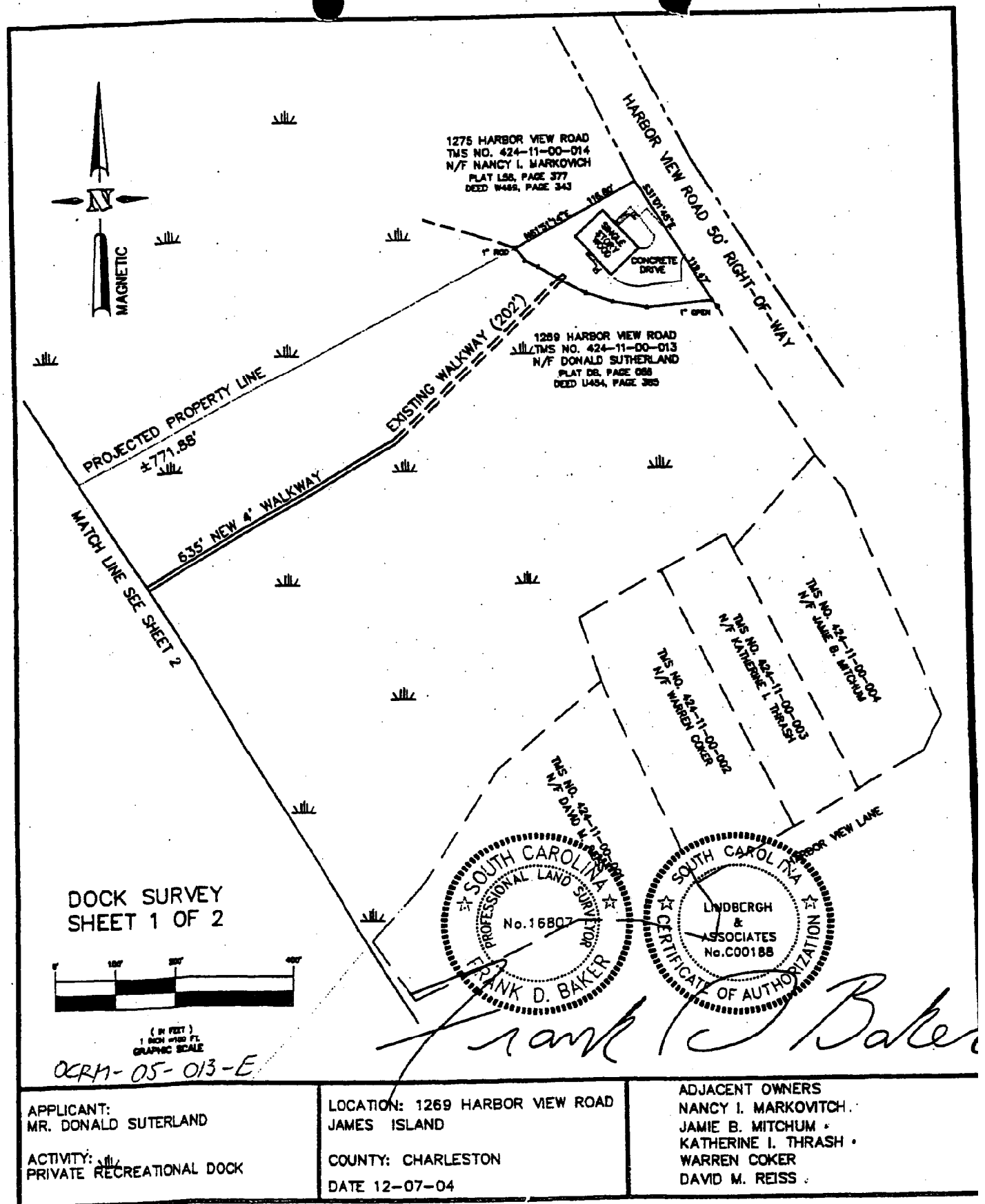
NOT TO SCALE

BUD SUTHERLAND
1269 HARBOR VIEW ROAD
CHARLESTON, SC 29412

PROPOSED: PRIVATE DOCK
CONSTRUCTION

IN: UN-NAMED TRIBUTARY
NEAR: JAMES ISLAND CREEK
COUNTY OF: CHARLESTON, SC
APPLICATION BY: BUD SUTHERLAND
PIN#: ~~100~~ 2005-2W-185
DATE: DECEMBER 23, 2004

Sheet 1 of 6



APPLICANT:
MR. DONALD SUTERLAND

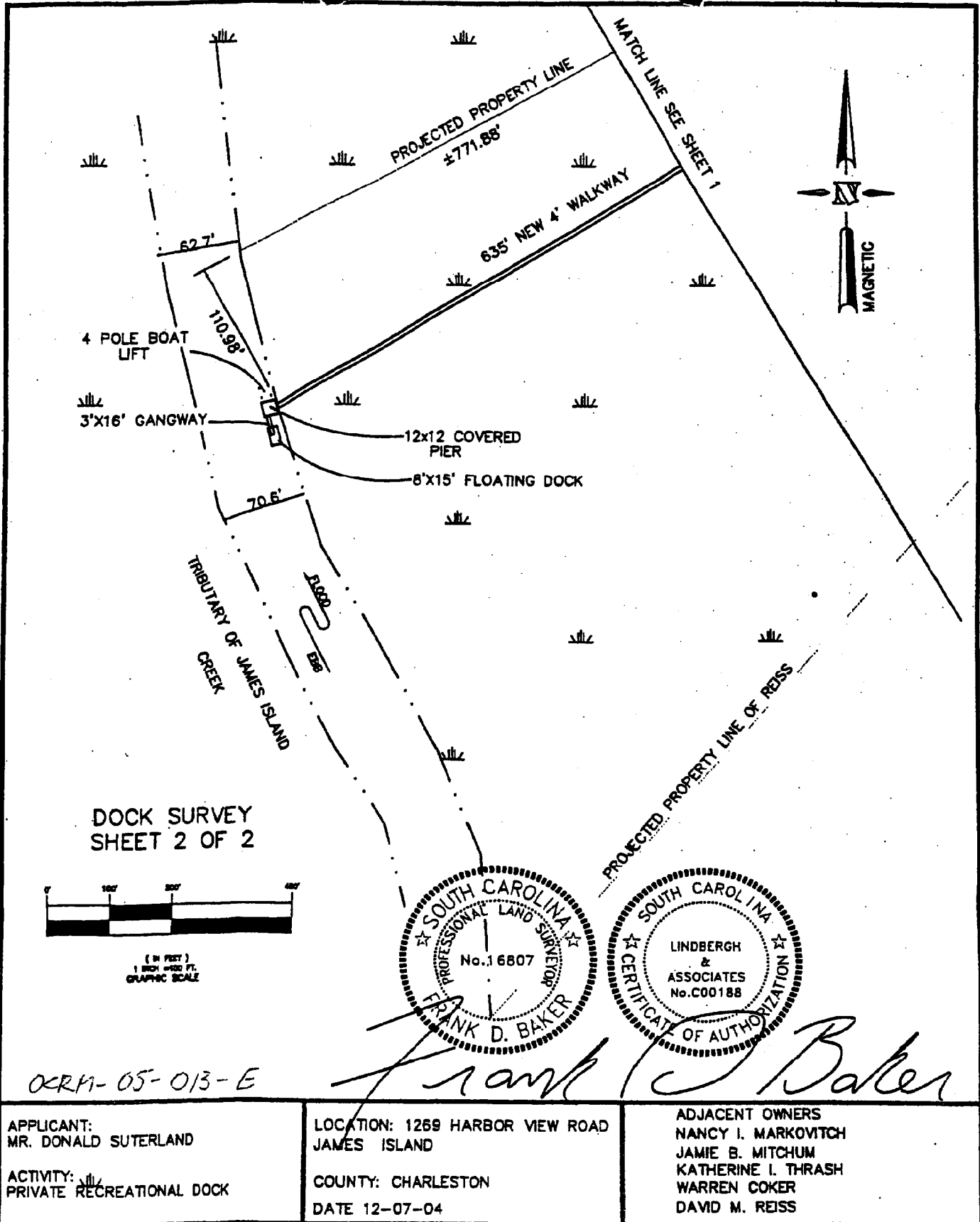
ACTIVITY:
PRIVATE RECREATIONAL DOCK

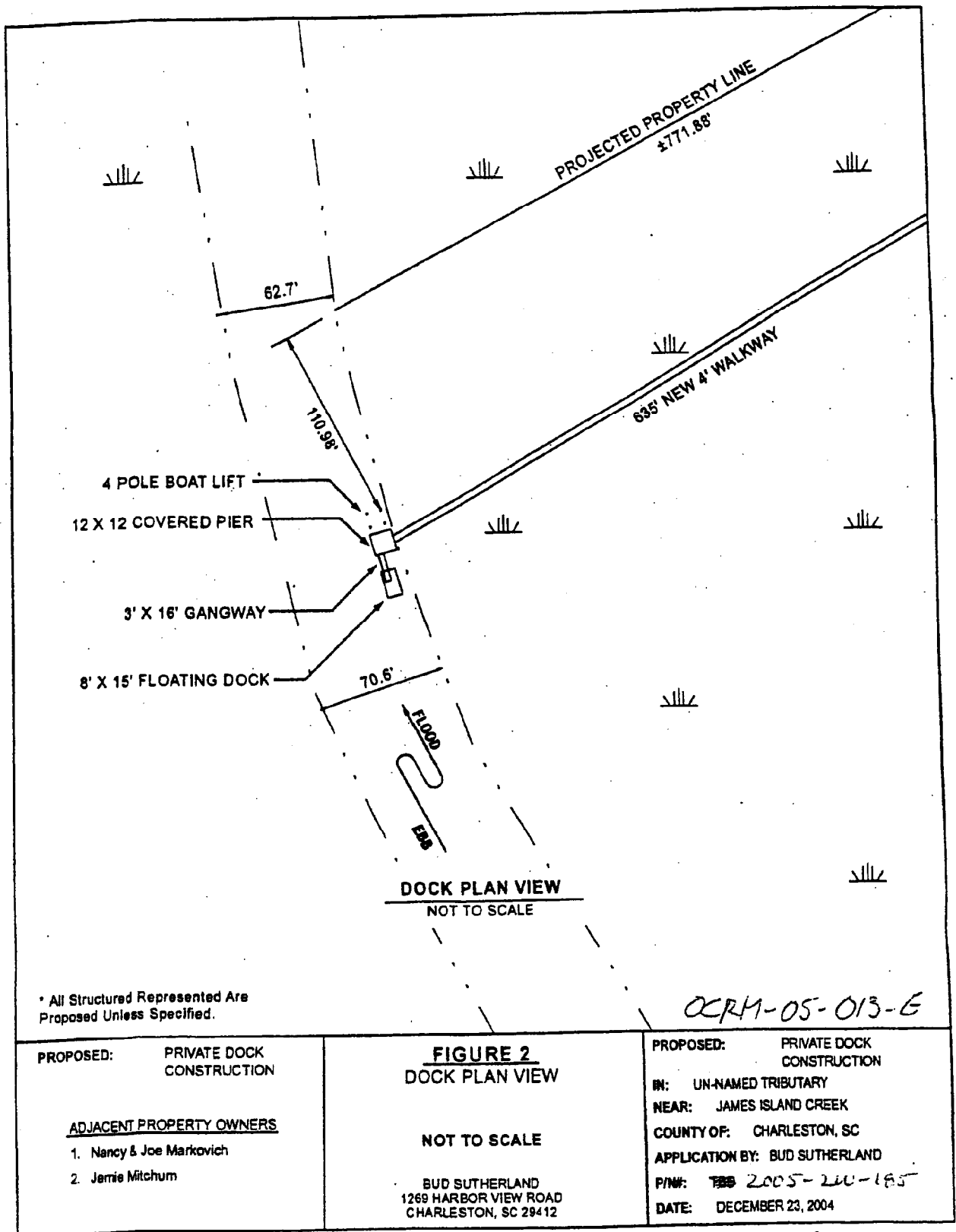
LOCATION: 1269 HARBOR VIEW ROAD
JAMES ISLAND

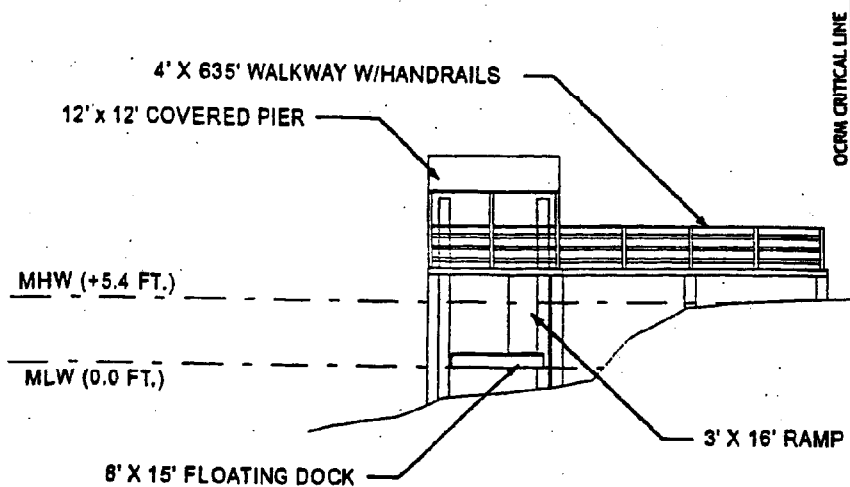
COUNTY: CHARLESTON

DATE 12-07-04

ADJACENT OWNERS
NANCY I. MARKOVICH
JAMIE B. MITCHUM
KATHERINE I. THRASH
WARREN COKER
DAVID M. REISS







DOCK SIDE CROSS SECTION
NOT TO SCALE

* All Structured Represented Are
Proposed Unless Specified.

OCRM-05-013-E

LEGEND

MHW MEAN HIGH WATER
MLW MEAN LOW WATER

PROPOSED: PRIVATE DOCK
CONSTRUCTION

ADJACENT PROPERTY OWNERS

1. Nancy & Joe Markovich
2. Jamie Mitchum

FIGURE 3
DOCK SIDE
CROSS SECTION
NOT TO SCALE

BUD SUTHERLAND
1259 HARBOR VIEW ROAD
CHARLESTON, SC 29412

PROPOSED: PRIVATE DOCK
CONSTRUCTION

IN: UN-NAMED TRIBUTARY

NEAR: JAMES ISLAND CREEK

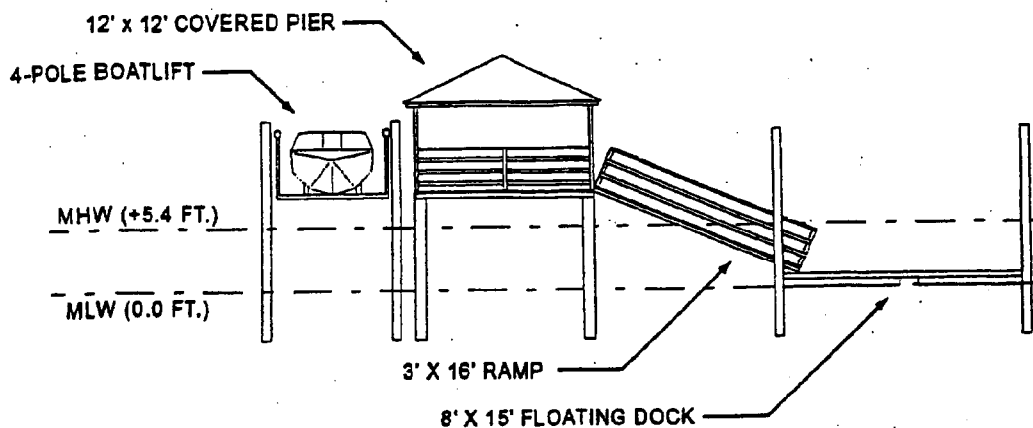
COUNTY OF: CHARLESTON, SC

APPLICATION BY: BUD SUTHERLAND

PIN: ~~100~~ 2005-2W-185

DATE: DECEMBER 23, 2004

Sheet 5 of 6



DOCK FRONT CROSS SECTION
NOT TO SCALE

* All Structured Represented Are
Proposed Unless Specified.

LEGEND

MHW MEAN HIGH WATER
MLW MEAN LOW WATER

OCRM-05-013-E

PROPOSED: PRIVATE DOCK
CONSTRUCTION

ADJACENT PROPERTY OWNERS

1. Nancy & Joe Markovich
2. Jamie Mitchum

FIGURE 4
DOCK FRONT
CROSS SECTION

NOT TO SCALE

BUD SUTHERLAND
1269 HARBOR VIEW ROAD
CHARLESTON, SC 29412

PROPOSED: PRIVATE DOCK
CONSTRUCTION

IN: UN-NAMED TRIBUTARY

NEAR: JAMES ISLAND CREEK

COUNTY OF: CHARLESTON, SC

APPLICATION BY: BUD SUTHERLAND

P/N: ~~2005-20-185~~

DATE: DECEMBER 23, 2004